

U.S. v. Shea, 55 F.2d 382 (1932)

Ct. messenger of fixed salary could also hold position w/out ever at per diem & not violate S 58. Court (Dist. Ct., D.N. Dak.) said purpose of S 58 to overcome previous doctrine of Saunders case. (Shepherd cites as (q) Saunders decision.) That one person can be regarded as two officers.

76 F. Supp. 219 (Circuit ^{Shea case} 1957)
definition of salary.

19 Op. Atty Gen (1888) 121
cites Saunders case as latest authority.

34 Op. Atty Gen (1925)
(Two jobs, but 2d without compensation.)
However, Atty Gen. says Saunders case approved prior to Act of 1894 "There is little doubt but that the Act of 1894 was enacted to prevent an employee of the Gov from holding two positions & receiving the salary provided for each by law." However, ok for person getting more than \$2500 to accept another position - not incompatible - when no additional compensation.